PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: or we Robert L. Mardage et ux legal owner of the propert situate in Bulamore County and which is described in the description and plat attached hereto and made a part hereof, bereby petition for a Variance from Section 1802. 3.C; 14 To permit a lot width of 50° in lieu of the required 55° of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Balimore County adopted pursuant to the Zoning Law For Baltimore County. Robert L. Mardaga, Sr. Mrs. Robert L. Mardagael Owner Mardaga Contract parchaser 203 Candry Terrace Baltimore Md. 21221 Protestant's Attorney Petitioner's Attorney By The Zoning Commissioner of Baltimore County, this 29th day 197 2, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore

BALTIMORE COUNTY, MARY AND

INTER-OFFICE CORRESPONDENCE

William E. Hammond

Zoning Commissioner

John D. Seyffert

___A._M.

FROM Director of Planning and Zoning

SUBJECT Petition #80-55-A. Item #258

Petition for Variance for lot width West side of Hauf Road, 340 feet North of Montrose Avenue Petitioner - Robert L. Mardaga, Sr., et ux

15th District

HEARING: Thursday, August 30, 1979 (9:45 A.M.)

There are no comprehensive planning factors requiring comment on this

August 10, 1979

JDS:JGH:rw

RE: PETITION FOR VARIANCE W/S of Hauf Rd., 340'

: BEFORE THE ZONING COMMISSIONER

OF BALTIMORE COUNTY

N of Montrose Ave., 15th District

ROBERT L. MARDAGA, SR., et ux, : Case No. 80-55-A

ORDER TO ENTER APPEARANCE

::::::

Mr. C imissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman Deputy People's Counsel

John W. Desur III John W. Hessian, III People's Counsel for Baltimore County County Office Building Towson, Maryland 21204

I HEREBY CERTIFY that on this 13th day of August, 1979, a copy of the aforegoing Order was mailed to Mr. and Mrs. Robert L. Mardaga, Sr., 904 Hauf Avenue, Baltimore, Maryland 21221, Petitioners; and Mr. and Mrs. Alan J. Mardaga, 303 Candry Terrace, Baltimore, Maryland 21221, Contract Purchasers.

September 25, 1979

Mr. & Mrs. Robert L. Mardaga, Sr. 904 Hauf Avenue Baltimore, Maryland 21221

> RE: Petition for Variance W/S of Hauf Road, 340' N of Montrose Avenue - 15th Election District Robert L. Mardaga, Sr., et ux -Petitioners NO. 80-55-A (Item No. 258)

Dear Mr. & Mrs. Mardaga:

I have this date passed my Order in the above referenced matter in accordance with the attached.

Very truly yours,

WILLIAM E. HAMMOND Zoning Commissioner

WEH/orl

Attachments

cc: Mr. & Mrs. Alan J. Mardaga 303 Candry Terrace Baltimore, Maryland 21221

> John W. Hessian, III, Esquire People's Counsel

Mr. & Mrs. Robert L. Mardaga

Baltimore, Maryland 21221

904 Hauf Avenue

Petitioner <u>Mardaga</u>

Petitioner's Attorney

DESCRIPTION

Beginning at a point on the west side of Hauf Avenue, 340' north of Montrose Avenue and known as Lot #26 of Montrose Farms and recorded among the Land Records of Baltimore County in Plat Book 9, Folio 28.

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

COUNTY OFFICE BLDG. 111 W. Chesapeake Ave. Towson, Maryland 21204

August 17, 1979

RE: Item No. 258

Petitioner - Mardaga

Variance Petition

904 Hauf Avenue Baltimore, Maryland 21221

Bureau of Dear Mr. 2 Mrs. Mardaga:

State Roads Commission Bureau of Fire Prevention Health Department Project Planning Building Department Board of Education

Soning Administration

Industrial

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

Mr. & Mrs. Robert L. Mardaga

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced Petition and has made an on-site field inspection of the property. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

This Variance for lot width is necessitated as a result of your proposal to convey a 501 lot to your son. As indicated through conversation with you and your son, the 30' x 50' parcel of land, located adjacent to Hauf Avenue, is owned by you and, therefore, a Variance for front setback was not required.

Enclosed are all comments submitted from the Committee to this office. The remaining members felt that no comment was warranted. This Petition is accepted for filing on the date of the enclosed filing less than 30 nor more than 90 days after the date on the filing certificate, will be forwarded to you in the near future.

Zoning Plans Advisory Committee

NBC/sf Enclosures

cc: Edwin J. Kirby & Associates

P.O. Box 278 Millersville, Maryland 21108

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building

Your Petition has been received and accepted for filing this

111 W. Chesapeake Avenue Towson, Maryland 21204

WILLIAM E. HAMMOND

Zoning Commissioner

cc: Edwin J. Kirby & Associates P.O. Box 278

Millersville, Maryland 21108

Chairman, Zoning Plans

Advisory Committee

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 25 day of September . 19.79, that the herein Petition for Variance to permit a lot width of fifty feet in lieu of the required fifty-five feet, for the expressed purpose of constructing a dwelling for occupancy and ownership by other than the Petitioners, should be and the same is GRANTED, from and after the date of this Order Esubject, however, to the following restrictions:

- 1. Compliance with all other Baltimore County Zoning Regulations regarding front, side, and rear yard setbacks.
- 2. Approval of a site plan by the Department of Public Works and the Office of Planning and Zoning.

Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of failure to show practical difficulty and/or unreasonable hardship, the Variance(s) should not be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19__, that the herein Petition for the Variance(s) to permit

Zoning Commissioner of Baltimore County

department of public works TOWSON, MARYLAND 21204

THORNTON M. MOURING, P.E.

Mr. William E. Hammond Zoning Commissioner County Office Building Towson, Maryland 21204

> Re: Item #258 (1978-1979) Property Owner: Robert L. Mardaga, et al W/S Hauf Rd. 340' N. Montrose Ave. Existing Zoning: DR 5.5 Proposed Zoning: Variance to permit lot widths of 50' in lieu of the required 55'. Acres: 0.23 District: 15th

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

July 20, 1979

Subdivision or resubdivision of property within Baltimore County is subject to Baltimore County Subdivision Regulations.

Highways:

Hauf Avenue, an existing public road, is proposed to be improved in the future as a 30-foot closed section roadway on a 50-foot right-of-way. Highway right-of-way widening, including any necessary revertible easements for slopes will be required in connection with any grading or building permit application or further development of this property.

As indicated on the submitted plan, the plat "Montrose Farms Change in Lots 25 to 31", recorded L.McL.M. 9, Folio 28, indicated a "turn-around" area (30'x50') in front of Lot 26. The future improvement of Hauf and Ida Avenues, and the intersection thereof, will not require provision of a "turn-around" at this location.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Storm Drains:

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any poblem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Item #258 (1978-1979) Property Owner: Robert L. Mardaga, et al July 20, 1979

Water and Samitary Sewer:

There is a public 8-inch water main and 8-inch public sanitary sewerage in Hauf and Ida Avenues. There is also a public 8-inch sanitary sewer within a utility easement centered upon the northernmost side of Lot 26 of this property.

The Petitioner is cautioned that no encroachment by construction of any structure, including footings, is permitted within County rights-of-way or utility easements. During the course of construction on this property, protection must be afforded by the contractor for the public sanitary sewerage. Any damage sustained would be the full responsibility of the Petitioner.

END: EAM. FWR: 58

cc: J. Wimbley J. Trenner S. Bellestri

I-SW Key Sheet 9 NE 26 Pos. Sheet NE 3 G Topo 90 Tax Map

office of planning and zoning TOWSON, MARYLAND 21204 (301) 494-3211 John D. Seyffert ATSIXBOXXXXXXXXX

August 28, 1979

Mr. William Hammond, Zoning Commissioner Zoning Advisory Committee Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #258, Zoning Advisory Committee Meeting, June 29, 1979, are as follows:

Froperty Owner: Robert L. Mardaga, etal Location: W/S Hauf Road 340' N. Montrose Avenue Existing Zoning: D.R.5.5 Proposed Zoning: Variance to permit lot widths of 50' in lieu of the required 55'. Acres: 0.23 District: 15th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

This plan has been reviewed and there are no site-planning factors requiring comment.

Very truly yours,

Current Planning and Development

battimore county department of traffic engineering TOWSON, MARYLAND 21204

August 23, 1979

Mr. William Hammond Zoning Commissioner County Office Building Towson, Maryland 21204

> Property Owner: Location: Existing Zoning:

> > Proposed Zoning:

- ZAC - June 29, 1979 Robert L. Mardaga, et al W/S Hauf Rd. 340' N Montrose Ava. D.R. 5.5 Variance to permit lot widths of 50' in lieu of

the required 55'.

Acres:

This Department has no comments for Item 258.

15th

Engineer Associate II

MSF/hmd

baltimore countu department of hoalth TOWSON, MARYLAND 21204 DONALD J. ROOP, M.D., M.P.H.

DEPUTY STATE AND COUNTY HEALTH OFFICER

August 9, 1979

Mr. William E. Hammond, Zoning Commissioner Office of Planning and Zoning County Office Building Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item # 258, Zoning Advisory Committee meeting of June 29, 1979, are as follows:

Property Owner: Location: Existing Zoning: Proposed Zoning:

Robert L. Mardaga, et al W/S Hauf Rd. 340' N Montrose Ave. D.R. 5.5 Variance to permit lot widths of 50' in lieu of the required 55'.

Acres: District:

Metropolitan water and sewer is available. Therefore, no health hazards are anticipated.

BUREAU OF ENVIRONMENTAL SERVICES

IIF/JRP:mwG



Paul H. Reincke

August 9, 1979

William E. Hammond Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21204

Attention: N. Commodari, Chairman Zoning Advisory Committee

Ro: Property Omer: Robert L. Mardaga, et al

Location: W/S Hauf Rd. 340' N Montrose Ave.

Item No. 258 Gentlemen:

Zoning Agenda Meeting of 6/29/79

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "x" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead and condition shown at

EXCEEDS the maximum allowed by the Fire Department.

- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
- (x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1975 Edition prior to occupancy.
- () 5. Site plans are approved as drawn.

() 7. The Fire Prevention Dureau has no comments, at this time.

REVIEWE Level Tolly 8/1/19
Reviewed: Leoy M Nogands
Approved: Fire Prevention Dureau

Special Inspection Division

TOWSON, MA... (301) 494-3610

baltimore county department of permits and licenses TOWSON MARYLAND 21204

JOHN D. SEYFFERT

July 9, 1979

Mr. William E. Hammond, Zoning Commissioner Office of Planning and Zoning County Office Building Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #2582oning Advisory Committee Meeting, June 29, 1979 are as follows:

Property Owner: Robert L. Mardaga, et al Location: W/S Hauf Road 340' N. Montrose Ave. Existing Zoning: D.R. 5.5 Proposed Zoning: Variance to permit lot widths of 50' in lieu of the required 501.

District:

The items checked below are applicables Any contemplated

- X A. /Structure shall conform to Baltimore County Building Code (B.O.C.A.)
 1970 Edition and the 1971 Supplement, State of Maryland Code for the Handicapped and aged and other applicable codes.
- B. A building permit shall be required before construction can begin.
- D. Building shall be upgraded to new use requires alteration permit.
- E. Three sets of construction drawings will be required to file an application for a building permit.

C. Additional Permits shall be required.

- F. Three sets of construction drawings with a registered Maryland Architect or Engineer's original seal will be required to file an application for a building permit.
- G. Wood frame walls are not permitted within 3'0" of a property line. Contact Building Department if distance is between 3'0" and 6'0" of property line.
- H. Requested setback variance conflicts with the Baltimore County Building Code. See Section ____

XI. No Comment.

NOTE: These corrects reflect only on the information provided by the drawing submitted to the office of Planning and Zoning and are not to be construed as the full extent of any permit.

STEPHEN E. COLLINS

DIRECTOR

District:

80-55-A

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 15	Date of Posting 81. 3/79
Petitioner: Level L	Date of Posting 31: 7/1/1 Warriance Madaga Gr., et ux of M., 340 N Montrass
Location of property: W/5 W/2	uf Adi, 340 N Montrase
~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~	uplety ( freing Hauf die
Remarks:	
Posted by Seem Colome Signature	Date of return: 8/17/79

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building 111 W. Chesapcake Avenue Towson, Maryland 21204

Your Petition has been received * this // day of 1977. Filing Fee \$ 25 - Received Check

Zoning Commissioner

BALTO CO GLE 2511/24

Petitioner topent 1. Muslan day Submitted by Kily + trace Petitioner's Attorney Reviewed by

* This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

ZONED . DE 5-5

4125 UTILITY EASEMENTS

ZONED DASS

BALTIMU I COUNTY, MARYLAND No. 83076 OFFICE OF FONCE REVENUE DIVISION MISCELLANEOUS CASH RECEIPT DATE JULY 31, 1979 ACCOUNT #01-662 FROM: Edwin J. Kirby & Associates FOR: Filing Pee for Case No. 80-55-A 2730RAW 1 25.00 Mec VALIDATION ON SIGNATURE OF CASHIER

## BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: Junw 21, 1979

Mr. S. Eric DiNenna Zoning Commissioner Baltimore County Office Building Towson, Maryland 21204

Ingn

RE: Item No: 256, 257, 258 Property Owner: Location: Present Zoning: Proposed Zoning:

> District: No. Acres:

Dear Mr. DiNenna:

All of the above have no bearing on student population.

Very truly yours, Wellich believed

W. Nick Petrovich, Field Representative

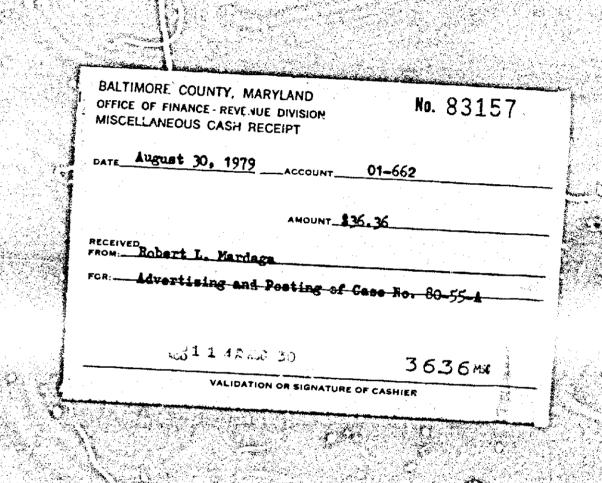
A Second

ALVIN LORECK MRS. MILTON R. SMITH, JR.

RICHARD W. TRACEY, D.V.M.

HOBERT I MARDACA C VICINITY MAR I'I BOOM 340 TO MONTROSE AVE N 19.31 19" E & SANITARY SEWER IMAC PAVING 9'21 VAVEA 1 TONED DIE BIE PLAT TO ACCOMPANY ZONING PETITION LANDS OF ROBERT L, MARDAGA TO BE ACQUIRED BY ALAN J. AND SUSAN E MARDAGA " MONTROSE FARMS " LOTS 25, & 26, W.P.C. 6/183. "CHANGE IN LOTS 25, TO 31, MONTROSE FARMS" 9/28 EDWIN J. KIRBY & ASSOCIATES AREA LOT 25 0.20 ACRES P.O. BOX 276, MILIERSVILLE, MARYLAND, 21108 AREA 30 TURN AROUND 0.03 ACRES 987-1100 TOTAL LOT AREA 0.23 ACRES 1" 40" 6/7/79 ZONING VARIANCE FOR LOT OF 50' IN LIEU OF 55' 15th ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND LINE B ON LOT 26 IS TITLE LINE ON DEED. (2506/390) LINE A ON LOT 26 IS TITLE LINE ON PLAT. (9/28) C-TEST 127 HLAK C

FUNCTION	MAPPING			Original Duplicat					200 Sheet	
	date	by	date		date	by	date	by	date	by
Descriptions checked and cutline plotted on map										
Petition number added to outline						<i></i>				
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by:		_			d Plan		or desc	riptio	on	Yes
Previous case: /										



PETITION FOR VARIANCE ZONING: Petition for Variance for ZONING: Petition for Variance for lot width
LOCATION: West side of Hauf Road, 340 feet North of Montrose Avenue.

DATE & TIME: Thursday, August 30, 1979 at 9:45 A.M.
PUBLIC HEARING: Room 105, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

Maryiand.

The Zoning Commissioner of Baitimore County, by authority of the Zoning Act and Regulations of Baitimore County, will hold a public hearing:

Petition for Variance to permit a lot width of 50 feet in lieu of the required 55 feet

The Zoning Regulation to be excepted as follows:

Section 1802.3.C.1—lot width
All that parcel of land in the Fifteenth District of Baltimore County
Beginning at a point on the west side of Hauf Avenue, 340 north of Montrose Avenue and known as Lot #28 of Montrose Fryms and recorded among the Land Records of Baltimore County in Plat Book 9, Folio 28.

Being the property of Robert L. Mardaga, Sr., et ux, as shown on plat plan filed with the Zoning Department.

Hearing Date: Thursday, August
30, 1979 at 9:45 A.M.

Public Hearing: Room 108, Coun-,
ty Office Building, 111 W. Chema-,
penks Avenue, Towson, Maryland,
By Order Of
WILLIAM E. HAMMOND,

Zoning Commissioner of Baltimore County

published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., man since and ak one time ______ macoespressores before the _30th____ day of August 19.79, the zieck publication appearing on the __9th____day of August____ 19_*79*_.

CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was

TOWSON, MD.,____August_9____, 1979_

Cost of Advertisement, \$_____

15th District
ZONING: Petition for Variance
for lot width
LOCATION: West side of Heaf
Poal: 346 lest North of Montrose Avenue DATE & TIME: Thursday, August 39, 1979 at 9:45 e.m. PUBLIN HEARING: Room 106, PUBLIT HEARING: Room 108, County Office Building, 111 W. Chesapeake Avenue, Toward, Maryand
The Zoning Commissioner of Batimore County, by authority of the Zoning Act and Regulations of Batimore County, will hold a public hearing: ic hearing: Petition for Varience to permit a tol width of 50 feet in New of the required 55 heat
The Zoning Regulation to be ex-Section 1802.3.C.1—lot width
All that percel of lend in the
Filteenth District of Beltimore
County

0

PHILITION FOR YARIANCE

County

Beginning at a point on the west side of Hauf A renue, 340° it are of Montrose Avenue and known as Lot No. 26 of Montrose Farms and Lot No. 26 of Montrose Farms and Lot No. 26 of Montrose Farms and recorded among the Land Records of Battimore County Pist Book 8, Fulio 28.

Being the property or Robert L. Mardaga, Sr., at Mx, as shown an plar plan find with the Zonety, Department M. 1979 at 9-65 a.m.

Public Hearing: Room 106.

Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson,

BY ORDERS OF

WILLIAM E HAMMOND

OFFICE OF NEWSPAPERS TOWSON, MD. 21204 August 9, 1979

THIS IS TO CERTIFY, that the annexed advertisement of PETITION FOR VARIANCE- Robert L. Mardaga, Sr. was inserted in the following: L 05049

☐ Catonsville Times Essex Times

☐ Arbutus Times ☐ Community Times

☐ Towson Times

weekly newspapers published in Baltimore, County, Maryland, once a week for _____ one ____ successive weeks before the 10 day of August 1979, that is to say, the same was leserted in the issues of August 9. 1979.

> STROMBERG PUBLICATIONS, INC. BY Jama Tannelicke